



**FOR IMMEDIATE RELEASE**

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## **ADEM Announces Precedent-Setting Consent Order with 3M**

*Company Must Clean Up PFAS-Contaminated Sites in North Alabama,  
Put in Place System to Monitor, Test and Research Impacts of Exposure*

**MONTGOMERY, Ala.** – The Alabama Department of Environmental Management announced today it has reached a landmark consent order with the 3M Company that holds the company accountable for cleaning up what are sometimes called “forever chemicals” from its plant in Decatur and at multiple sites in northwest Alabama. It also commits the company to long-term obligations to investigate and report on the presence of the chemicals and to research their effects on public health and the environment.

The comprehensive order that 3M agreed to requires the company to perform thorough assessments at known waste sites in Morgan and Lawrence counties, and at any additional sites identified later, to determine the levels of a class of chemical compounds commonly known as per- and polyfluoroalkyl substances, or PFAS, and take remedial steps to reduce their presence. In addition, the company must install specialized water and air control equipment, put in place a system of investigations, monitoring, notifications, testing and research to track the pollutants, determine their health risks and impacts on the environment, and develop best practices for managing the cleanup and containment of the compounds.

The toxicity reports and research from this consent order can be used by the U.S. Environmental Protection Agency as it develops national standards for PFAS, which the federal agency categorizes as emerging contaminants for which there are no nationally recognized numeric standards governing their releases.

“This interim consent order is the most far-reaching and significant enforcement action to date taken in regard to PFAS in the country,” ADEM Director Lance LeFleur said. “It protects the public from both past and future contaminations, and puts Alabama ahead of the game in regulating these harmful compounds. This agreement expands ADEM’s ability to control PFAS beyond what would otherwise be available.”

3M will assume all the costs of the assessments, remedial actions and research associated with the consent order, LeFleur said, including any costs incurred by ADEM in overseeing 3M’s action. This

agreement does not affect the rights of any other party. LeFleur said the interim nature of the consent order means that while it is enforceable immediately, “it is not the end of the process.” Additional requirements can be placed on 3M based on the data collected.

Penalties, to be assessed in the future, will be based on the information gathered. In the interim, penalties will be assessed with increasing severity if any 3M obligations in the consent order are not accomplished within required time frames.

“We appreciate the fact that 3M has agreed to take all the actions necessary to take responsibility after decades of pollution,” LeFleur said. “ADEM will hold 3M accountable through rigorous oversight and enforcement, to ensure the company meets all of its requirements under this order. The number one goal is to protect the public’s safety and health, and protect the state’s land, water and air.”

While the EPA has set health advisory levels for certain PFAS in drinking water – and ADEM has taken additional steps to require all of the nearly 600 water systems in the state to test for the compounds – the EPA has not set any numeric standards for the levels of the contaminants in drinking water, on land, in surface water or releases into the air. Such standards, if they were in place, would allow for unilateral enforcement by regulatory agencies and set requirements for remediation.

“As EPA pursues its mission to protect human health and the environment, addressing per- and polyfluoroalkyl substances (PFAS) in communities continues to be a priority,” said EPA Region 4 Administrator Mary S. Walker. “We appreciate the coordination we continue to have with ADEM and applaud the interim steps the state has taken to address PFAS. By taking key steps under our [PFAS Action Plan](#) and working in partnership with our state agencies, such as ADEM, we are able to add to the growing body of science that will inform future decision making.”

Five state attorneys general have sued 3M over PFAS exposure in their states. ADEM’s approach to dealing with PFAS contrasts with that of other states. “ADEM has determined that a consent order is the best way at this time to ensure the safety of Alabamians,” ADEM General Counsel Shawn Sibley said. “Lawsuits can be tied up in the courts for years, which can delay work to clean up the sites and safeguard public health. A consent order doesn’t rely on new federal regulations, which are likely two or more years away. In short, this is the quickest and surest route to accomplish the goals of reducing public exposure to PFAS now and preventing exposure in the future, while holding 3M accountable.”

Director LeFleur emphasized that “3M will pay what it takes to fix permanently whatever PFAS problems it created, in addition to the requirements for investigations and research on any effects of PFAS on public health and the environment.”

*For a copy of the [Interim Consent Order](#) or more information about the Alabama Department of Environmental Management, go to [www.adem.alabama.gov](http://www.adem.alabama.gov).*

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